

Notice of Allowability	Application No.	Applicant(s)
	10/606,583	BOERSTLER, DAVID WILLIAM
	Examiner	Art Unit
	Linh M. Nguyen	2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to amendment filed 06/28/2004.
2. The allowed claim(s) is/are 1 and 4-25.
3. The drawings filed on 26 June 2003 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

DETAILED ACTION

This is a reply to the Applicant's amendment submitted on 06/28/2004. According to this amendment, claims 2 and 3 are cancelled; thus, claims 1 and 4-25 are currently presented in the instant application.

Allowable Subject Matter

1. Claims 1 and 4-25 are allowed.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

The closest prior art fails to disclose or fairly suggest

- A method of generating a phase error signal including the step of resetting the input circuit and, after a delay, resetting a phase error detector circuit, in which the amount of delay is variable and is used to select an appropriate amount of delay to reduce a dead zone to less than one picosecond and in which the amount of delay is variable from 5% to 25% of the period of the reference signal, in combination with the remaining claimed limitations, as called for in claim 1;

- A method of generating a phase error signal including the step of generating a derived reference signal and a derived feedback signal, based on a reference signal and a feedback signal, using a first and second dynamic AND circuit, respectively, until a second reset signal is received, in combination with the remaining claimed limitations, as called for in claim 6;

- An apparatus for generating a phase error signal from a reference signal and a feedback signal, the apparatus including means for setting a first and second latch after receiving the

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reference signal and the feedback signal, respectively, and for generating a latched reference signal and a latched feedback signal, respectively, until a first reset signal received, in combination with the remaining claimed limitations, as called for in claim 11;

- A computer program product for generating a phase error signal having a medium with a computer program including computer code for setting a first and second latch after receiving the reference signal and the feedback signal, respectively, and for generating a latched reference signal and a latched feedback signal, respectively, until a first reset signal received, in combination with the remaining claimed limitations, as called for in claim 16; and

- A phase/frequency detector circuit including a second NOR circuit coupled to the second latch circuit for receiving the latched feedback signal and coupled to the second dynamic AND circuit for receiving the derived feedback signal, and for generating the second NOR signal, in combination with the remaining claimed limitations, as called for in claim 21.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linh M. Nguyen whose telephone number is (571) 272-1749. The examiner can normally be reached on Alternate Fri, Monday - Thursday from 7:00 to 4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan can be reached on (571) 272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LMN



LINH MY NGUYEN
PRIMARY EXAMINER